

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, AUGUST 4, 1986
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:04 p.m.
Mayor O'Connor adjourned the meeting at 4:14 p.m. to meet in Closed
Session on Tuesday, August 5, 1986, at 9:30 a.m. in the twelfth
floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present
- Clerk-Abdelnour (bb)

FILE: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-not present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by Reverend Father Luke Kontgas
of the St. Spyridon Greek Orthodox Church.

FILE: MINUTES

Aug-4-1986

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Jones.

FILE: MINUTES

ITEM-30: PRESENTED TO COUNCIL AND WELCOMED

Welcoming 25 visitors from Mission Valley YMCA Teen Camp, accompanied by Kelly McBride. This group will arrive at 2:00 p.m.
(District-5.)

FILE: MEET

COUNCIL ACTION: (Tape location: A025-027.)

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:
07/14/86
07/15/86

FILE: MINUTES

COUNCIL ACTION: (Tape location: A028-035.)

MOTION BY McCOLL TO APPROVE. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-50: (O-87-3) ADOPTED AS ORDINANCE O-16693 (New Series)

Setting aside and dedicating Lot 10 of Gateway Center East for Dennis V. Allen Park.
(Southeast San Diego Community Area. District-4.
Introduced on 7/22/86. Council voted 6-0. Districts 5, 6 and 7 not present.)

FILE: DEED F-3483 DEEDFY87-1

COUNCIL ACTION: (Tape location: A081-084;A106-108.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT. Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-51: (O-87-2) INTRODUCED, TO BE ADOPTED AUGUST 18,

1986

Introduction of an Ordinance amending Section 1 of Ordinance O-16039 (New Series), adopted September 12, 1983, incorporating the Southeast Quarter of the Southwest Quarter of Section 20, and the East Half of the Northwest Quarter of the Northwest Quarter, and the Northeast Quarter of the Northwest Quarter of Section 29, Township 14 South, Range 2 West, S.B.B.M. (approximately 70.2 acres), located on the west side of Interstate Freeway 15 at Mercy Road, into R-1-10 and CA Zones; extension of time to June 25, 1987.

(See Planning Department Report PDR-86-346.

Case-86-0386/EOT1. Mira Mesa Community Area. District-5.)

FILE: --

COUNCIL ACTION: (Tape location: A109-125; B441-450.)

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-100: (R-87-22) ADOPTED AS RESOLUTION R-266320

Cancelling the balance of the contract with American Processing Co., Inc., for furnishing removal and disposal of rags and various other materials from sewage flow at Pump Stations No. 1 and 2, as may be required for a period of one year beginning June 1, 1986 through May 31, 1987, which was authorized by Resolution R-265539, adopted on April 28, 1986; authorizing the Purchasing Agent to readvertise for bids for this service with revised specifications; authorizing the execution of a contract with the lowest responsible and reliable bidder. (BID-7109)

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-101: (R-87-23) ADOPTED AS RESOLUTION R-266321

Cancelling the contract with Camera Mart for furnishing photographic processing service, Schedule I (color film

processing), as may be required for a period of one year beginning November 1, 1985 through October 31, 1986, as authorized by Resolution R-264499, adopted November 25, 1985; accepting the second low bid and awarding the contract to One Hour Photo Stop, as may be required for the period of July 1, 1986 through October 31, 1986, for an estimated cost of \$7,380.83 (balance of contract period) with an option to renew the contract for an additional one-year period. (BID-6697)

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-102:

Three actions relative to the final subdivision map of Rancho Del Rio, a 1-lot subdivision located northwesterly of Cottonwood Road and Camino de la Plaza:
(Tia Juana River Valley Community Area. District-8.)

Subitem-A: (R-87-148) ADOPTED AS RESOLUTION R-266322
Authorizing the execution of an agreement with Rancho Del Rio for the installation and completion of certain public improvements.

Subitem-B: (R-87-147) ADOPTED AS RESOLUTION R-266323
Approving the final map.

Subitem-C: (R-87-149) ADOPTED AS RESOLUTION R-266324
Authorizing the execution of the Certificate of Ownership on the final map of the Rancho Del Rio Mobilehome Park, consenting to the preparation and recordation of the final map.

FILE: SUBD Rancho Del Rio CONFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-103: (R-87-61) ADOPTED AS RESOLUTION R-266325

Vacating River Run Drive, south of Rio San Diego Drive, adjacent to Lots 9-13 of Dos Pueblos Unit No. 1, Map-10312, under the procedure for the summary vacation of streets; declaring that this resolution shall not become effective unless and until a Consolidation Parcel Map for the affected parcels has been recorded; declaring that this resolution shall become void and be of no further force or effect in the event that the Consolidation Parcel Map is not recorded within 3 years; directing the City Engineer to advise the City Clerk of the approval of the Consolidation Parcel Map.

(East Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: The abutting property owner has requested the vacation of River Run Drive (formerly Dos Pueblos Drive) south of Rio San Diego Drive and adjacent to Lots 9-13 of Dos Pueblos Unit 1, Map-10312, in order to facilitate development and to re-parcel the properties. The area of vacation is a fully improved cul-de-sac with curb, gutter, sidewalk and public utilities which include water, sewer, drainage and franchise facilities. A drainage easement and electrical easement for street lighting conduit lines are to be the only easements reserved from the vacation. The existing sewer main within the area of vacation is to be privately maintained while the water main is to be disconnected and abandoned in place. The concerned franchise facility companies have acquired their necessary easements through independent actions. The area of vacation is not needed for traffic circulation in that it dead-ends within the applicant's undeveloped properties. However, a Consolidation Parcel Map is required over the adjoining lots to prevent the landlocking of parcels. In addition, the construction of curb, gutter, and sidewalk across the vacated area adjacent to Rio San Diego Drive is required. Staff review has indicated that based on the consolidation of properties fronting on this street, the right-of-way will no longer be required for present or prospective public use and may be summarily vacated conditioned upon recordation of a Consolidation Map and bonding and issuance of the required improvements.

FILE: STRT J-2618; DEED F-3484 DEEDFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-104: (R-87-151) ADOPTED AS RESOLUTION R-266326

Approving the acceptance by the City Manager of the street easement deed of Aban Development Company, granting to City an easement for public street purposes in a portion of Lot 69 of Horton's Purchase, Map-283; dedicating said land as and for a public street, and naming the same Delta Street. (Southeast San Diego Community Area. District-4.)

FILE: DEED F-3485 DEEDFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-105:

Two actions relative to a drainage and slope easement abandonment for the Murphy Canyon Gateway: (Serra Mesa Community Area. District-5.)

Subitem-A: (R-87-118) ADOPTED AS RESOLUTION R-266327

Certifying that the information contained in Environmental Negative Declaration END-84-0902, issued in connection with the abandonment of unneeded drainage and slope easements in a portion of Lots 3 and 4, Block 27 of Rosedale, Map-826, and in a portion of Lot 43 of Rosedale Tract, Map-825, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-71) ADOPTED AS RESOLUTION R-266328

Vacating the City's interest in unneeded drainage and slope easements affecting a portion of Lots 3 and 4, Block 27 of Rosedale, Map-826, and a portion of Lot 43 of Rosedale Tract, Map-825.

FILE:

Subitem A MEET;

Subitem B DEED F-3486

DEEDFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed

by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-106: (R-86-2606) ADOPTED AS RESOLUTION R-266329

Authorizing the City Manager to allow a water connection to San Diego County Tax Assessor's Parcel No. 307-060-043, for domestic and irrigation needs necessary to serve a single family residence.

(Sorrento Hills Community Area. District-1.)

CITY MANAGER REPORT: Parcel No. 307-060-043 was located within the Arroyo Sorrento Assessment District which constructed the existing water mains in Arroyo Sorrento Road fronting the parcel. Previous City Council direction requires any and all new water service connections to the Arroyo Sorrento Water System to be approved by the Council. In the past the Council has approved several water connections for single family use on previously vacant parcels within the Arroyo Sorrento Assessment District. The City Manager recommends approval of water connection for Parcel No. 307-060-043.

WU-U-86-055.

FILE: MEET

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-107: (R-87-126 Rev.) ADOPTED AS RESOLUTION R-266330

19860804

Authorizing the execution of amendments to the agreements with the Centre City Development Corporation, Southeast Economic Development Corporation, San Diego Convention Center Corporation, and Data Processing Corporation, to indemnify the directors of the non-profit corporations against all expenses, judgments, fines, settlements, etc., incurred by them in connection with any litigation which results from their good faith action as board directors.

(See City Manager Report CMR-86-350.)

FILE: MEET CONFY87-4

COUNCIL ACTION: (Tape location: A352-562.)

MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-108: (R-87-62) ADOPTED AS RESOLUTION R-266331

Authorizing the execution of an agreement with Cooper and Associates for professional services required for various minor park improvements; authorizing the expenditure of an amount not to exceed \$40,000 from CIP-20-009, Miscellaneous Professional Services, Capital Outlay Fund 30245, for the purpose of providing funds for the above project.

CITY MANAGER REPORT: This proposed agreement with Cooper and Associates will provide the City with professional services needed for minor City-wide park improvements. Many projects are small in scope and budget. This proposed agreement provides the Park and Recreation Department with the means of proceeding with such projects as the need arises in a timely fashion. Copper and Associates was recommended pursuant to Council Policy 300-7. The need for consultant services was advertised in the San Diego Daily Transcript on December 27, 1985. The City Manager recommended this firm's selection from a list of three interviewed.

Aud. Cert. 8700047.

FILE: MEET CCONFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-109: (R-87-129) ADOPTED AS RESOLUTION R-266332

Authorizing the execution of agreements with the following consulting structural engineering firms to provide structural plan checking services through June 30, 1987, at the rate of \$55 per hour:

Buss Silvers Hughes and Associates

R. C. Byrum and Associates

Dalal Engineering Corporation

R. H. Flores and Associates

Frisbie Killman and Associates

Jaykim Engineers, Inc.

Lau L. B. Engineering, Inc.
James R. Libby and Associates
Nowak-Meulmester and Associates
George R. Saunders Associates
Authorizing the expenditure of not to exceed \$100,000
from the Building Inspection Enterprise Fund (Dept.
1300, Org. 2212, Acct. 4118 and J.O. 002241), for the
contractual services with the various engineering firms
listed above.

CITY MANAGER REPORT: This Resolution authorizes the City Manager to enter into contracts with the above ten private structural engineering firms for contract plan checking services. These services will be used to supplement those provided by Building Inspection staff when needed to maintain permit processing time goals stated in the Building Inspection Department FY 1987 budget. Included in the FY 1987 budget is \$100,000 for these contract services. The contracts are identical and provide that, through June 1987, each firm, upon written request by the City, will review and check for completeness and correctness the structural design of designated buildings, develop lists of corrections, consult with the structural designer to facilitate needed corrections, then certify to the correctness of the structural design. The fee is to be \$55 for each hour of service performed. When plan check services are requested under the contract, department staff makes an estimate of the cost of such services, and the checking firm is instructed not to do work in excess of the estimate without permission. There is no need, or provision, for subconsultants in the contracts. These plan checking consultants were solicited and selected in accordance with Council Policy 300-7. Ten qualified engineering firms responded for consideration, and all were nominated by the City Manager's nominating committee.

Aud. Cert. 8700065.

FILE: MEET CCONFY87-10

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-110: (R-87-63) ADOPTED AS RESOLUTION R-266333

Authorizing the execution of a first amendment to the

agreement with Logan Heights Family Health Center, Inc. to provide for further renovation and expansion of the existing facilities; authorizing the City Auditor and Comptroller to expend an amount not to exceed \$75,150 from CDBG Calendar Year 1984 Fund 18520, Dept. 5813, Org. 1304; and \$128,900 from CDBG Calendar Year 1986 Fund 18522, Dept. 5862, Org. 6205, for construction of Logan Heights Family Health Center Improvements and related costs.

(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER REPORT: On July 23, 1984, Council approved an agreement with Logan Heights Health Center, Inc.

(Resolution R-261221) for renovation work at its facilities at 1809 National Avenue, using CDBG Calendar Year 1983 funds.

The agency hired its own architect. The first bid opening resulted in bids too high to award a contract, even when CDBG Calendar Year 1984 funds were identified to augment the Calendar Year 1983 funds. The project was redesigned, taking into account forthcoming Calendar Year 1986 CDBG funds. Bids were again opened resulting in a current low bid of \$316,940, by an MBE Contractor, which can be awarded upon approval of this proposed first amendment. The work will include renovation of a part of the existing building to create a pharmacy, medical laboratory, and waiting areas; and the construction of an addition to provide a pediatric clinic, restrooms, and a medical records facility.

Aud. Cert. 8700073.

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-111: (R-87-139) ADOPTED AS RESOLUTION R-266334

Authorizing the extension of the option agreement with Mission Pacific Associates (MPA), for the development of the Mission Bay Ramada Hotel, from August 31, 1986, to February 28, 1987, with the stipulation that MPA pay a fee of \$25,000 per month during the extension period for each month or part thereof during which the lease remains unexecuted.

(See City Manager Report CMR-86-348. Mission Bay Community Area. District-6.)

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A563-B053.)

MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-112: (R-87-59) CONTINUED TO SEPTEMBER 9, 1986

Authorizing the execution of a first amendment to the Option Agreement with the San Diego Musical Arts Foundation for the restoration of the House of Charm, Balboa Park.

(Balboa Park Community Area. District-8.)

CITY MANAGER REPORT: The San Diego Musical Arts Foundation has requested a one-year extension, to August 8, 1987, of its three year option for use of the House of Charm in Balboa Park. The Foundation's financing strategy is to secure one or more large contributions to finance the multi-million dollar project. They report an initial expression of interest from two qualified donors. The principal need for this extension is due to various changes to federal tax laws now before Congress which could make such large gifts less attractive for the donor from a tax relief standpoint. Tax advisors are recommending deferral of major contributions until these rules are clarified. This amendment not only extends the term of the option agreement by one year but also modifies the schedule for certain submittals to be consistent with that extension.

FILE: --

COUNCIL ACTION: (Tape location: A036-080.)

MOTION BY WOLFSHEIMER TO CONTINUE TO SEPTEMBER 9, 1986, AT THE REQUEST OF CARL MIKEMAN, TO ALLOW TIME FOR THE SAN DIEGO ART INSTITUTE TO PREPARE AN ALTERNATE PLAN TO THE AGREEMENT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-113: (R-87-132) ADOPTED AS RESOLUTION R-266335

Authorizing the execution of a first amendment to lease agreement with the San Diego Chargers, to add 592 square feet of space to its existing weight lifting room, and extend the term of the agreement to the year 2003.

(See City Manager Report CMR-86-349. Mission Valley Community Area. District-5.)

FILE: LEAS San Diego Chargers LEASFY87-1

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-114: (R-87-156) REFERRED TO THE TRANSPORTATION AND LAND USE COMMITTEE

Authorizing the City Manager to cancel the agreement with Watt Industries San Diego, Inc. Document No. RR-259340, and to release them of any obligation for the acquisition of right-of-way and the construction of street improvements on El Camino Real; authorizing the City Auditor and Comptroller to return unused funds deposited by Watt Industries San Diego, Inc., with the City to assure their financial commitment for their agreement; authorizing the City Manager to record a Notice of Completion and Acceptance on the Subdivision Improvement Agreement for Fairbanks County Club Unit No. 1.

(Fairbanks Country Club Community Area. District-1.)

CITY MANAGER REPORT: On September 27, 1983, the City Council approved the Improvement Agreement and Final Map for Fairbanks Country Club Unit No. 1. At the same time the Council Approved a separate agreement for the acquisition of right-of-way and the construction of street improvements to eliminate the "hair-pin" turn on El Camino Real. The Subdivider provided a bond and deposit cash with the City to assure the completion of the construction and to provide funds to pay for the right-of-way. On November 12, 1985, the Council decided not to proceed with acquisition of the right-of-way. It is therefore recommended that the City terminate the agreement, release the bond and return the cash deposits less any City's costs involved in the process.

FILE: --

COUNCIL ACTION: (Tape location: A054-110.)

MOTION BY WOLFSHEIMER TO REFER TO THE TRANSPORTATION AND LAND USE COMMITTEE TO REVIEW 1) THE RETURN OF FUNDS TO WATT INDUSTRIES SAN DIEGO, INC. WHICH WAS DEPOSITED FOR THE PURPOSE OF ACQUIRING THE RIGHT-OF-WAY, AND 2) THE REALIGNMENT AND/OR REMOVAL OF "HAIR-PIN" CURVES ON EL CAMINO REAL.

Second by Martinez. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor O'Connor-yea.

* ITEM-115: (R-87-170) ADOPTED AS RESOLUTION R-266336

A Resolution approved by the City Council in Closed Session on Tuesday, July 22, 1986 by the following vote:
Wolfsheimer-yea; Cleator-yea; McColl-yea; Jones-yea;
Struiksma-not present; Gotch-not present; McCarty-not present; Martinez-yea; Mayor O'Connor-yea.

Authorizing the City Manager to pay the additional sum of \$293,000 towards the settlement of the claim against the City, its agents and employees, resulting from the condemnation of Parcel No. 5 (Superior Court Case No. 516902, City of San Diego v. Isenhour, et al. Parcel No. 5,); authorizing the City Auditor and Comptroller to expend the amount of \$293,000 from Fund 79104, Open Space, made payable to Peter and Suzanne Clarke and their attorney of record, Eugene Freeland, as the final payment towards the full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This settlement and payment, along with the previously deposited sum of \$187,000, represents complete and final settlement of the condemnation of Parcel No. 5.

Aud. Cert. 8700133.

FILE: MEET

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-200: (R-87-65 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-266337
19860804

Authorizing Deputy Mayor Ed Struiksma to prepare, on behalf of the City, the ballot argument in favor of the November 1986 measure regarding off-shore oil drilling.

FILE: MEET

COUNCIL ACTION: (Tape location: B111-303.)

MOTION BY WOLFSHEIMER TO ADOPT AS AMENDED NAMING DEPUTY MAYOR ED

STRUIKSMA, COUNCIL MEMBER MIKE GOTCH, THE SIERRA CLUB, CONVIS,

AND THE MAYOR AND CITY COUNCIL AS PROPONENTS AND SIGNATORIES OF THE BALLOT ARGUMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

19860804

ITEM-201: (R-87-64 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-266338

Authorizing Deputy Mayor Ed Struiksma to submit, on behalf of the City, a ballot argument in favor of the November 1986 ballot measure providing for exchange of land within the Penasquitos Canyon area.

FILE: MEET

COUNCIL ACTION: (Tape location: B304-440.)

MOTION BY WOLFSHEIMER TO ADOPT AS AMENDED NAMING THE LOS PENASQUITOS CANYON PRESERVE CITIZEN'S ADVISORY COMMITTEE, SIERRA CLUB, SAN DIEGANS FOR MANAGED GROWTH, DEPUTY MAYOR ED STRUIKSMA,

AND COUNCIL MEMBER MIKE GOTCH AS PROPONENTS AND SIGNATORIES OF THE BALLOT ARGUMENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-202: (R-87-20) ADOPTED AS RESOLUTION R-266339

Inviting bids for the construction of the West Miramar Solid Waste Disposal Facility Phase I - Contract 2 on Work Order No. 118780; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$1,761,105 from CIP-37-055.4, West Miramar Refuse Disposal Facility - Phase I, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-7422)

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: This project provides for the continuing development of West Miramar Landfill - Phase I. The proposed work includes the completion of the perimeter drain, construction of a siltation/leachate dam, and the installation of a ground water monitoring system. These improvements are required to comply with the conditions set in the permits issued

by the California Waste Management Board and the Regional Water Quality Control Board. Without these improvements the landfill operation at Miramar will have to be stopped as soon as the existing module is filled (less than two years).

Aud. Cert. 86848.

FILE: W.O. 118780 CONFY87-1

COUNCIL ACTION: (Tape location: B451-C219.)

MOTION BY McCARTY TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-203: (O-87-8) INTRODUCED, TO BE ADOPTED AUGUST 18, 1986

Introduction of an Ordinance amending Chapter II, Article 3, of the San Diego Municipal Code, by amending the Rules of the Civil Service Commission, Section 23.1203 (Rule XI, Section 3), relating to Cause for Removal or Suspension from the Classified Service of the City, by deleting language which unnecessarily limited management's rights to take appropriate action for the failure of an employee to follow a lawful and reasonable direction given by a superior officer.

FILE: --

COUNCIL ACTION: (Tape location: C220-329.)

Hearing began at 3:22 p.m. and halted at 3:23 p.m.

MOTION BY MCCOLL TO INTRODUCE. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-204: TO BE RENOTICED

(Continued from the meeting of July 14, 1986, Item 215, at Lynn Benn's request; trailed from the adjourned meeting of July 8, 1986, Item 333; and continued from the meeting of June 10, 1986, Item 332.)

Matters relating to the City of San Diego's Local Coastal Program:

- 1) Proposed zoning ordinances and ordinance amendments to Chapter X of the San Diego Municipal Code (Planning and Zoning Regulations) to implement The City of San Diego's Local Coastal Program. Ordinances contained in the LCP Implementation Program include:
Floodway Zone (FW)

Floodplain Fringe Zone (FPF)
Off-street Parking (Div. 8)
Subdivision Regulations
Land Development Ordinance
Mission Beach Planned District
La Jolla Shores Planned District
Coastal Development Permits Ord.
Multiple Family Residential Zones
Commercial Office Zone (CO)
Neighborhood Commercial Zone (CN)
Commercial Visitor Zone (CV)
Community Commercial Zone (CC)
C-1 Zone (C-1)
Hillside Review Overlay Zone (HR)
Sensitive Coastal Resource Zone (SCR)

- 2) Proposed amendments to the Land Use Plans for the North City and Centre City/Pacific Highway Corridor segments of the City's Local Coastal Program.
- 3) A proposal for the categorical exclusion of specifically defined geographic areas that are found to have no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to and along the coast, as provided in Section 30610(e) of the California Coastal Act.
- 4) Transmittal of The City of San Diego LCP Implementation Program to the California Coastal Commission for review and certification.

As a coordinated program, the proposed ordinances and amendments address all major issues set forth in the certified LCP Land Use Plan segments including, but not limited to: The protection of public access to and along the shoreline; the preservation of coastal bluffs; the establishment of coastal bluff top setbacks; standards for erosion control structures; the preservation of wetlands; the establishment of wetland buffers; restrictions on filling and development in the floodway and floodplain fringe areas; development restrictions in areas of 25 percent or greater slope; erosion and runoff controls for lagoon drainage areas; landscaping and urban design requirements; parking and curb cut regulations (primarily in beach impact areas); and procedures for processing City issued Coastal Development Permits.

Concept maps of the rezonings proposed to be initiated are available at The City of San Diego Planning Department. Rezoning hearings will be scheduled at a later date, after

the proposed ordinances have been certified by the California Coastal Commission.

Subitem-A: (R-86-2342)

Adoption of a Resolution approving the LCP Implementing Ordinances, as amended, and approving the resubmittal of the LCP ordinance proposal and conceptual rezoning maps to the California Coastal Commission for their certification.

Subitem-B: (R-86-2343)

Adoption of a Resolution amending the North City Segment LCP Land Use Plan and approving the resubmittal of the amended Land Use Plan to the California Coastal Commission for their certification.

Subitem-C: (R-86-2344)

Adoption of a Resolution amending the Centre City/Pacific Highway Corridor Segment LCP Land Use Plan and approving the resubmittal of the amended Land Use Plan to the California Coastal Commission for their certification.

Subitem-D: (R-86-2345)

Adoption of a Resolution approving the submittal of a request to the California Coastal Commission for a categorical exclusion of specific geographic areas found to have no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to and along the coast.

FILE: LAND Local Coastal Program

COUNCIL ACTION: (Tape location: A085-105.)

MOTION BY GOTCH TO HAVE ITEM RENOTICED AT THE REQUEST OF THE PLANNING DEPARTMENT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

*** ITEM-S400: (R-87-196) ADOPTED AS RESOLUTION R-266340**

A Resolution approved by the City Council in Closed Session on Tuesday, July 29, 1986 by the following vote:

Wolfsheimer-not present; Cleator-yea; McColl-yea; Jones-not present; Struiksmma-not present; Gotch-yea; McCarty-not present; Martinez-yea; Mayor O'Connor-yea.

Authorizing the City Manager to pay the additional sum of \$30,000 towards the settlement of the claim against the City, its agents and employees, resulting from the condemnation of Parcel No. 2 (Superior Court Case No. 516902, City of San Diego v. Isenhour, et al. Parcel No. 2); authorizing the City Auditor and Comptroller to expend the amount of \$30,000 from Fund 79104, Open Space, payable to Eleanor Brown, Robert Pastore, Roy Ledford, Jr., Anne Evans, Lucille Green, and San Diego Trust and Savings Bank; and their attorney of record, Joyce McCoy, as the final payment towards the full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: The settlement and payment, along with the previously deposited sum of \$196,000, represents complete and final settlement of the condemnation of Parcel No. 2.

Aud. Cert. 8700140.

FILE: MEET

COUNCIL ACTION: (Tape location: A126-132.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S401: CONTINUED TO AUGUST 18, 1986

(Continued from the meeting of July 28, 1986, Item 202, at Michael Mele's request.)

Two actions relative to Landscape Maintenance Districts:

(See City Manager Report CMR-85-484; City Attorney Report to PFR dated 3/8/85.)

Subitem-A: (O-86-228)

Introduction of an Ordinance amending Chapter VI, Article 5, Division 2, of the San Diego Municipal Code, by amending Sections 65.0201 and 65.0202 and by adding Section 65.0209.5, relating to the San Diego Maintenance District Procedural Ordinance of 1975.

Subitem-B: (O-86-219)

Introduction of an Ordinance amending Chapter II, Article

2, Division 2, of the San Diego Municipal Code, by amending Section 22.0210.1, relating to Public Works Contracts, Advertising, Minimum Monetary Limit.

CITY MANAGER REPORT: On January 21, 1986, the City Council adopted Resolution R-264868, which directed the City Manager and the City Attorney to draft proposed Ordinances to allow for increased input by proposed assesses in landscape maintenance districts with regard to the preparation and administration of contracts for services, and with regard to the potential award of such contracts to other than the low monetary bidder in special circumstances. The proposed Ordinances have been prepared, and it is recommended that they be introduced and adopted.

FILE: --

COUNCIL ACTION: (Tape location: B330-640.)

MOTION BY McCARTY TO CONTINUE TO AUGUST 18, 1986, WITH DIRECTION TO THE CITY MANAGER TO CONTACT THE TIERRASANTA COMMUNITY COUNCIL (OPEN SPACE COMMITTEE) TO ADDRESS THE ISSUES AS REFERENCED IN THEIR LETTER DATED JULY 28, 1986, WITH THE POSSIBILITY OF REDRAFTING THE ORDINANCES. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S402: (R-87-21 Rev.1) ADOPTED AS RESOLUTION R-266341

(Continued from the meeting of July 28, 1986, Item S400, at Mayor O'Connor's request.)

Awarding contracts for the purchase of miscellaneous furnishings for a total cost of \$1,377,734.44, as follows:
(BID-7231)

1. Southwest Business Interiors for Section 1A - Paneling; Section 1B - Steelcase Workstations; Section IV - Seating by Steelcase, Krueger, Schafer, Gunlocke; with an option to purchase additional furnishings within a six-month period.
2. Parron-Hall for Section 1B - Workstations other than Steelcase, Items 300, 319, 328, 331, 333, 338, 340, 351, 360, 361; Section V - Files, Bookcases and Storage Cabinets, Items 621, 626, 633, 634, 640; with an option to purchase additional furnishings within a six-month period.
3. Seal Furniture and Systems, Inc., for Section IV - Seating by Taylor, Gordon, Golden Oak, Benedetti, Ambient, Tropitone, Stoelting; with an option to

purchase additional furnishings within a six-month period.

4. B-K Cox for Section III - Tables, Items 411, 412, 423, 424, 430, 441, 442.
 5. San Diego Office Supply for Section III - Tables by Howe/Craftswell.
 6. Arenson Office Furniture for Section III - Tables by Virco; Section IV - Seating by Virco; Section V - Files, Bookcases and Storage Cabinets, all items except 621, 626, 633, 634, 640; Section VI - Miscellaneous Accessories, Items 900, 901A, 901B, 902, 905, 907, 911, 912, 913, 924, 930, 932, 935, 940, 949, 950, 955, 956.
 7. TAB Products for Section VI - Miscellaneous Accessories, Items 904, 906, 908, 909, 910, 915, 916, 917, 921, 925, 934, 937.
 8. Automated Filing Systems, Inc., for Section II - Industrial Shelving and Equipment.
- Aud. Certs. 8700119, 8700120, 8700121, 8700122, 8700123, 8700124, 8700125 and 8700126.

FILE: MEET CONFY87-8

COUNCIL ACTION: (Tape location: B641-D025.)

MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-ineligible, McColl-yea, Jones-yea, Struiksmma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S403: (R-87-24) ADOPTED AS RESOLUTION R-266342

Awarding contracts for construction type equipment rentals on an hourly, daily, weekly, or monthly basis, as may be required for a period of one year beginning August 1, 1986 through July 31, 1987, for a total cost of \$605,003.60, including tax and terms, as follows: (BID-7367)

Primary Contracts:

1. San Diego Equipment Rentals, Inc. for Section I, Item 1 - Backhoe, Item 3 - Dozer, Section II, Item 1 - Backhoe, Item 2 - Backhoe, Item 3 - Backhoe, Item 15 - Dozer, Item 17 - Loader.
2. Hertz Equipment Rental Corp. for Section I, Item 2 - Backhoe, Item 6 - Loader.
3. BJ's Rental Store for Section I, Item 4 - Forklift, Item 7 - Skiploader, Item 9 - Trencher, Item 10 - Tractor.
4. Clairemont Equipment Co. for Section I, Item 5 - Loader.
5. Rutledge Gradalls for Section II, Item 5 - Backhoe, Item 6 - Backhoe.

6. C & M Crane Rental for Section II, Item 8 - Crane, Item 9 - Crane, Item 12 - Crane.
7. Brown's Crane Service for Section II, Item 10 - Crane, Item 11 - Crane.
8. Superior Crane & Rigging for Section II, Item 13 - Crane, Item 20 - Trailer with Tractor.
9. Cabrillo Crane & Rigging Corp. for Section II, Item 14 - Crane.
10. Burns & Sons Trucking, Inc. for Section II, Item 18 - Loader, Item 19 - Loader, Item 21 - Truck, Item 22 - Truck.
11. Ennis Enterprises Inc. for Section II, Item 24 - Water Truck.
12. Miramar Water Trucks for Section II, Item 24 - Water Truck.

Secondary "Back-Up" Contracts:

1. U.S. Rentals for Section I, Item 1 - Backhoe, Item 6 - Loader, Item 10 - Tractor.
2. Contractors Equip. Corp. for Section I, Item 2 - Backhoe.
3. Hawthorne Rent It Service for Section I, Item 3 - Dozer.
4. Hertz Equipment Rental Corp. for Section I, Item 4 - Forklift, Item 5 - Loader.
5. San Diego Equipment Rentals, Inc. for Section I, Item 7, Skiploader.
6. John's Crane Rental Inc. for Section II, Item 8 - Crane.
7. Ed's Crane Service Inc. for Section II, Item 9 - Crane.
8. C & M Crane Rental for Section II, Item 10 - Crane, Item 11 - Crane.
9. Marco Crane for Section II, Item 12 - Crane.
10. Ennis Enterprises Inc. for Section II, Item 12 - Crane.
11. California Crane & Rigging for Section II, Item 14 - Crane.
12. San Diego Equipment Rentals, Inc. for Section II, Item 18 - Loader, Item 19 - Loader.
13. Burns & Sons Trucking, Inc. for Section II, Item 20 - Trailer with Tractor.
14. Terra Equipment Corp. for Section II, Item 21 - Truck.
15. Bud's Trucking for Section II, Item 22 - Truck.
16. Kraft Water Trucking for Section II, Item 24 - Water Truck.

FILE: MEET CONFY87-12

COUNCIL ACTION: (Tape location: D026-039.)

MOTION BY GOTCH TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S404:

(Continued from the meeting of July 29, 1986, Item S500, at Mayor O'Connor's request.)

(O-87-20) INTRODUCED, ORDINANCE READ IN FULL AND ADOPTED AS ORDINANCE O-16694 (New Series)

The matter of the consideration of the Emergency Ordinance, pursuant to Section 17 of the San Diego City Charter, limiting the issuance of building permits and the approval of projects which require sewer hookups in the Sewer Pump Station No. 64 service area within the City of San Diego. (Six votes required.)

NOTE: In the morning session on July 29, 1986, Council took the following actions regarding Pump Station 64:

Motion by Councilmember Wolfsheimer, second by Councilmember Martinez to introduce and adopt Emergency Ordinance O-87-20. Failed due to lack of 6 affirmative votes. Districts 1,3,6,8 and Mayor voted yea. Districts 2 and 4 voted nay. Districts 5 and 7 not present.

Motion by Councilmember Wolfsheimer, second by Councilmember Martinez to introduce Ordinance O-87-11. Passed by a vote of 5-2. Districts 1,3,6,8 and Mayor voted yea. Districts 2 and 4 voted nay. Districts 5 and 7 not present.

In the afternoon session, Council voted unanimously to reconsider Emergency Ordinance O-87-20 and continued the introduction and adoption of the Emergency Ordinance to today's meeting. Districts 1, 4, 5, 7 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: A133-351.)

MOTION BY McCOLL TO INTRODUCE, READ ORDINANCE IN FULL AND ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:14 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: D040-049).

MOTION BY GOTCH TO ADJOURN IN HONOR OF THE MEMORY OF DEAN

KLAMPE AND ADELLE FRANK. Second by McColl . Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.
Charles G. Abdelnour, City Clerk
City of San Diego